

## CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Christopher Anderson	Team: Squad #11	CCRB Case #: 201904475	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Thursday, 02/07/2019 6:30 PM	Location of Incident: 76th Precinct stationhouse	Precinct: 76	18 Mo. SOL 8/7/2020	EO SOL 3/24/2021	
Date/Time CV Reported Thu, 05/23/2019 10:47 AM	CV Reported At: CCRB	How CV Reported: Phone	Date/Time Received at CCRB Thu, 05/23/2019 10:47 AM		

Complainant/Victim	Type	Home Address

Witness(es)	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POM Jake Rotolo	23896	963247	076 PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POF Edania Ruiz	23730	963251	076 PCT
2. POF May Rivas	20013	951811	076 PCT
3. POM Frank Cammilleri	00048	896258	076 PCT
4. POM Robin Juste	15611	961848	076 PCT
5. POF Kayla Difiglia	25514	963961	076 PCT
6. SGT Lauren Odessa	02353	944857	076 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POM Jake Rotolo	Abuse: Police Officer Jake Rotolo disseminated § 87(2)(b)'s criminal history.	

## Case Summary

On May 23, 2019, § 87(2)(b) called the CCRB and filed this complaint, which was subsequently closed on June 24, 2019 and, upon § 87(2)(b)'s request, reopened on July 31, 2019.

On February 7, 2019, at approximately 6:30 p.m., § 87(2)(b) was lodged in a 76<sup>th</sup> Precinct stationhouse holding cell as a result of her arrest. § 87(2)(b) engaged in a verbal dispute with other prisoners and officers, and during this time, PO Jake Rotolo of the 76<sup>th</sup> Precinct allegedly informed other prisoners of the criminal charges associated with § 87(2)(b)'s arrest (**Allegation A -Abuse of Authority: Other**, § 87(2)(g)).

Video footage obtained in this case was recorded by officers on their Body-Worn Cameras (BWCs). The footage depicts officer interactions with § 87(2)(b) during the course of her arrest and does not depict any aspect of her being escorted to or lodged in a holding cell.

## Findings and Recommendations

### Allegation (A) Abuse of Authority: Police Officer Jake Rotolo disseminated § 87(2)(b)'s criminal history.

§ 87(2)(b) stated (Board Review 01) that while in her holding cell, she argued with a male in a neighboring cell and PO Rotolo about the male prisoner's desire to smoke a cigarette and her sensitivity to cigarette smoke. During this dispute, PO Rotolo allegedly informed occupants of the holding cells of the criminal charges that had been made against § 87(2)(b) in her arrest.

Two prisoners who had occupied the stationhouse holding cells on the incident date, § 87(2)(b) (Board Review 02) and § 87(2)(b) (Board Review 03), denied hearing any officer speaking about a prisoner's criminal charges or hearing a dispute consistent with the one § 87(2)(b) alleged.

PO Rotolo stated (Board Review 04) that while in the holding cell area, he escorted a prisoner from the rear holding cell to a bathroom. As he did so, he heard § 87(2)(b) who was in the front holding cell, yelling. This was the first thing that drew PO Rotolo's attention to § 87(2)(b) and he did not recall whether he learned from prisoners or officers about anything of which § 87(2)(b) complained prior to his hearing her yelling. PO Rotolo did not recall the content of what § 87(2)(b) yelled. PO Rotolo did not respond to § 87(2)(b) yelling and did not recall having any verbal interaction with her whatsoever. PO Rotolo did not discuss § 87(2)(b) with any of the other prisoners present, and no prisoner said anything to PO Rotolo about § 87(2)(b) that he could recall. PO Rotolo did not inform other prisoners of the charges, of which he was not aware, contained in her arrest, in which he was not involved.

§ 87(2)(g)

§ 87(2)(g)

§ 87(2)(g)

§ 87(2)(g)

§ 87(2)(g)

## Civilian and Officer CCRB Histories

- This is the first CCRB complaint to which § 87(2)(b) has been a party (Board Review 05).
- PO Rotolo has been a member-of-service for two years, and this is the first CCRB complaint to which he has been a subject.

### **Mediation, Civil and Criminal Histories**

- § 87(2)(b) declined to mediate this complaint.
- As of August 26, 2019, § 87(2)(b) has not filed a Notice of Claim with the New York City Office of the Comptroller (Board Review 06).
- [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]

Squad No.: \_\_\_\_\_

Investigator:	_____	_____	_____
	Signature	Print Title & Name	Date

Squad Leader:	_____	_____	_____
	Signature	Print Title & Name	Date

Reviewer:	_____	_____	_____
	Signature	Print Title & Name	Date